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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KEVIN MICHAEL BROPHY, JR.,
an individual,

Plaintiff,

v.

BELCALIS ALMANZAR,
aka Cardi B, an individual;
KRS GROUP, LLC, a New York
limited liability company;
WASHPOPPIN, INC., a New York
corporation; and DOES 1-20,
inclusive,

Defendants.

Case No. 8:17-cv-01885-CJC-JPR

Hon. Cormac J. Carney
U.S. District Judge

**DECLARATION OF BELCALIS
ALMANZAR IN SUPPORT OF EX
PARTE APPLICATION BY
DEFENDANTS TO CONTINUE
TRIAL AND PRETRIAL
CONFERENCE DATES, AND
RELATED DEADLINES**

Complaint filed: 10/26/17
Pre-Trial Conf.: 10/8/21
Trial Date: 10/26/21

I, Belcalis Almazar, declare:

1. I am a Defendant in this action.

2. I submit this Declaration in support of the ex parte application by
Defendants for a continuance of the trial and pretrial conference dates, and related

1 deadlines, set forth in the Court's Order (Docket No. 140) dated September 8,
2 2021. I know all matters of fact set forth herein to be true of my own personal
3 knowledge, except those stated upon information and belief, and I believe those
4 to be true. If called as a witness, I could and would testify competently hereto.

5 3. Just a few days ago, on September 4, 2021, in New York City, I gave
6 birth to a son, my second child. I also have a three-year old daughter. With all
7 respect, for medical reasons, I do not feel it will be appropriate, fair or reasonable
8 for me to be required to travel from the East Coast to Southern California in mid
9 to late October. It will be especially important for me to be with my newborn
10 infant over the next two months. As I am and will be in the immediate post-natal
11 period and nursing my newborn child, it would be extremely difficult and
12 burdensome for me to have to be present for and participate in pretrial preparation,
13 beginning in mid-October, and attendance at the trial, beginning in late October,
14 in this case. The sheer burden of travelling across the country with my family
15 (especially my infant children), under these circumstances, would be substantial
16 and unreasonable, and should be avoided. Apart from that burden, the risk, to
17 either me, or especially to my newborn son and my young daughter, of possibly
18 contracting a variant of the COVID-19 coronavirus in the course of such travel,
19 or by having to spend extended periods in (or moving about in) public places such
20 as the courthouse generally, a public courtroom, and other public facilities such
21 as airports or a hotel, is, I believe, unreasonably great.

23 4. In addition to this case, I have another trial presently scheduled to
24 commence on November 9, 2021, in Atlanta, Georgia, where I maintain a
25 residence with my family. (That trial date, already previously continued, was set
26 on July 26, 2021. Since we were not given the opportunity to bring that to this
27 Court's attention before the unanticipated issuance of the Order of September 8—
28 prior to which nobody anticipated a trial date so soon in this case—we assume the

1 Court was unaware of this and did not take it into account.) The Atlanta case is
2 *Belcalis Marlenis Almanzar v. Latasha Transrina Kebe and Kebe Studios LLC*,
3 United States District Court, Northern District of Georgia, Case No. 1:19-cv-
4 01301-WMR. As the Plaintiff in that case, I have asserted claims for defamation,
5 false light and intentional infliction of emotional distress. (Counterclaims against
6 me were dismissed when the Court granted my motion for summary judgment.)
7 I understand it is estimated that case will take a week to try, before a jury, and that
8 it may have to trail for a few days before actually starting (though we will not
9 know until then whether that comes to pass). That trial could therefore potentially
10 run on into mid to late November. It would be extremely burdensome for me, in
11 addition to attending to my newborn and recovering from recent childbirth, to
12 have to participate in both trials back-to-back, on the two different coasts, first
13 beginning with trial preparation in Southern California in mid-October, followed
14 immediately by trial here from late October into early November, leaving almost
15 no time then to travel to Atlanta and prepare for the trial there on its eve, with that
16 trial commencing within a matter of a few days after this case.

17
18 5. I took part in the lengthy settlement conference via Zoom in this case
19 on August 20, 2021. Although we were not able reach a settlement at that time,
20 we all agreed to continue the negotiation at the earliest possible date, which (due
21 to various participants' schedules) turned out to be October 15, 2021. We have
22 all worked hard toward hopefully reaching a settlement, with the Magistrate
23 Judge's assistance, and it would be a shame to lose that momentum. At the time
24 of our recent settlement conference on August 20, we also made Magistrate Judge
25 Rosenbluth aware that I was in the final weeks of my pregnancy. I believe that
26 was taken into account by her, along with the schedules of everyone else involved,
27 in setting the date for the next settlement conference as October 15, 2021.

1 Executed at New York, NY, on September 10, 2021.

2 I declare under penalty of perjury under the laws of the United States of
3 America and the State of New York that the foregoing is true and correct.

4 DocuSigned by:

5 Belcalis Marlenis Almanzar p/k/a "Cardi B"

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7 BELCALIS ALMANZAR